Before the Federal Communications Commission Washington, D.C. 20554

In the Matter of)) File No.: EB-FIELDSCR-16-00	0022762
WOCS-LP) NOV No.: V201732480002	
Orangeburg, South Carolina		
)	

NOTICE OF VIOLATION

Released: January 30, 2017

By the Regional Director, Region Two, Enforcement Bureau:

- 1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's rules (Rules)¹ to WOCS-LP, a low-power FM operator in Orangeburg, South Carolina. Pursuant to Section 1.89(a) of the Rules, issuance of this Notice does not preclude the Enforcement Bureau from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violation noted herein.²
- 2. On Thursday, December 8 , 2016, an agent of the Enforcement Bureau's Atlanta Office investigated WOCS's operations and verified the following violation :
 - a. 47 C.F.R. § 73.845: "Each licensee is responsible for maintaining and operating its broadcast station in a manner which complies with the technical rules set forth elsewhere in this part and in accordance with the terms of the station authorization." As of December 8, 2016, the WOCS-LP transmitter was located at N 33-31-56, W 80-49-18, which deviates from the location described in the station authorization. WOCS-LP has admitted to raising the height of its transmitter, which would subsequently change the parameters of its authorized emission of signals.
- 3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,³ and Section 1.89 of the Rules, we seek additional information concerning the violations and any remedial actions taken. Therefore, WOCS-LP must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response (i) must fully explain each violation, including

² 47 C.F.R. § 1.89(a).

¹ 47 C.F.R. § 1.89.

³ 47 U.S.C. § 308(b).

all relevant surrounding facts and circumstances, (ii) must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and (iii) must include a time line for completion of any pending corrective action(s). The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.⁴

- 4. In accordance with Section 1.16 of the Rules, we direct WOCS-LP to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of WOCS-LP, with personal knowledge of the representations provided in WOCS-LP's response, verifying the truth and accuracy of the information therein,⁵ and confirming that all of the information requested by this Notice which is in WOCS-LP's possession, custody, control, or knowledge has been produced. To knowingly and willfully make any false statement or conceal any material fact in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁶
- 5. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission Office of Region Two Director 3600 Hiram-Lithia Springs Rd. Powder Springs, GA, 30127

This Notice shall be sent to WOCS-LP at its address of record. 6.

FEDERAL COMMUNICATIONS COMMISSION

Ronald Ramage Director, Region Two Enforcement Bureau Federal Communications Commission

⁴ 47 C.F.R. § 1.89(c).

⁵ Section 1.16 of the Rules provides that "[a]ny document to be filed with the Federal Communications Commission and which is required by any law, rule or other regulation of the United States to be supported, evidenced, established or proved by a written sworn declaration, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn declaration, certification, verification, or statement in writing of such person . . . Such declaration shall be subscribed by the declarant as true under penalty of perjury, and dated, in substantially the following form . . . : 'I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)'." 47 C.F.R. § 1.16.

⁶ 18 U.S.C. § 1001 et seq. See also 47 C.F.R. § 1.17.